

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA**

UNITED STATES OF AMERICA,

v.

**DOCKET NO.: 1:17CR71-005
(JUDGE KEELEY)**

LAZARO SERRANO DIAZ

NOTICE OF APPEAL

Pursuant to Rule 4(b), the Defendant, Lazaro Serrano Diaz, by his attorney, Michael J. Sharley, hereby gives notice of the defendant's intent to appeal the sentence imposed by order of the United States District Court for the Northern District of West Virginia by order entered October 2, 2018, to the United States Court of Appeals for the Fourth Circuit Court of Appeals. The Defendant will contend that the sentence was not reasonable under the factors of 18 U.S.C. §3553, and the Court's estimation of loss involved erroneous findings of fact and in improper application of the sentencing guidelines, particularly the application of §2B1.1, United States Sentencing Guidelines, and Application Note 3(F) to the calculation of loss.

The Defendant, being without funds and previously having been deemed to be indigent under the provisions of the Criminal Justice Act, respectfully requests the appointment of counsel to prosecute this appeal.

LAZARO SERRANO DIAZ
Defendant,
BY COUNSEL

/s/ Michael J. Sharley
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CERTIFICATE OF SERVICE

I certify that on October 17, 2018, I electronically filed Defendant Lazaro Serrano Diaz' **Notice of Appeal** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the attorneys of record.

/s/ Michael J. Sharley